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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

2007 DEC 21 AM 9:04

UNITED STATES OF AMERICA
vs.
Stephen Michael PACKOWSKI
&
Daniel Ray MOSES

Magistrate's Case No.

07 MJ 2948

COMPLAINT FOR VIOLATION OF
21 U.S.C. 952 and 960

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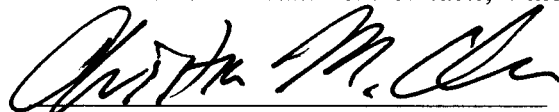
Unlawful Importation of a Controlled Substance

The undersigned complainant being duly sworn states:

COUNT ONE

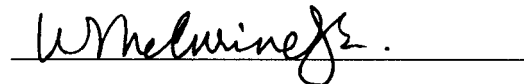
That on or about December 20, 2007, within the Southern District of California, defendants Stephen Michael PACKOWSKI and Daniel Ray MOSES did knowingly and intentionally import approximately 15.50 kilograms (34.10 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



Signature of Complainant
U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence, this 21st day of December, 2007.



United States Magistrate Judge

FAS

1 United States of America
2 VS.
3 Stephen Michael PACKOWSKI &
4 Daniel Ray MOSES

5 PROBABLE CAUSE STATEMENT

6 On December 20, 2007 at approximately 2015 hours, Stephen Michael PACKOWSKI
7 (driver) and Daniel Ray MOSES (passenger) entered the United States from Mexico through the
8 Tecate Port of Entry (TPOE), San Diego, CA in a 1987 Mazda pickup bearing California license
9 plate 3J74282. A U.S. Customs and Border Protection Officer (CBPO) made contact with
10 PACKOWSKI and MOSES on lane 2 while conducting pre-primary operations. The vehicle
11 matched the description of an anonymous tip that was received stating the vehicle might be used
12 to smuggle narcotics into the United States. PACKOWSKI and MOSES orally claimed they
13 were U.S. Citizens. PACKOWSKI presented an Arizona driver's license and MOSES presented
14 a California identification card. PACKOWSKI and MOSES were asked where they were going
15 and both replied they were going home to Spring Valley, CA. The CBPO received negative
16 customs declarations from PACKOWSKI and MOSES. PACKOWSKI stated he had owned the
17 vehicle for three months. PACKOWSKI and MOSES both stated they were in Mexico betting at
18 the Caliente sports book. PACKOWSKI and MOSES were unable to produce any betting stubs
19 from the sports book. The CBPO decided to escort PACKOWSKI, MOSES and the vehicle into
20 the secondary lot for further inspection.
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23 While escorting them into the secondary lot, a Canine Enforcement Officer (CEO)
24 screened the Mazda with his Narcotic/Human Detector Dog (NHDD). The NHDD alerted to a
25 narcotic odor emitting from the spare tire. The CEO noticed the spare tire didn't match with the
26 other four tires on the Mazda.
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1 A Customs and Border Protection Officer (CBPO) conducted an intensive inspection on
2 the Mazda. A total of 8 packages containing approximately 15.50 kilograms (34.10 pounds) of
3 marijuana were found concealed within the spare tire of the vehicle. A presumptive test of one
4 of the packages revealed a positive reaction to the presence of marijuana.

5 PACKOWSKI and MOSES were arrested and charged with violation of Title 21 USC
6 952, 960, Unlawful Importation of a Controlled Substance, and were booked into the
7 Metropolitan Correction Center, San Diego, CA.
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William M. Cr.
William M. Cr.
12/21/07